

PROB 12C
(7/93)

Report Date: May 20, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**MAY 20 2011**JAMES R. LARSEN, CLERK
DEPUTY
SEATTLE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Michael Figueroa

Case Number: 2:06CR06059-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 8/24/2007

Original Offense: Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 48 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 12/20/2010

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 12/19/2013

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** Mr. Figueroa was cited by the Pasco Police Department for reckless driving and failing to stop and give information on April 19, 2011, case C00040700. Mr. Figueroa had an arraignment hearing scheduled for May 17, 2011. He failed to appear for his hearing and a warrant has been ordered.

According to the incident report, an officer observed a vehicle traveling at a high rate of speed. The officer pursued and activated his overhead lights. The car failed to stop at two stop signs. The vehicle turned south behind a building and crashed. A male was observed fleeing from the scene and the officer pursued the individual on foot, however, lost sight of him.

The vehicle license plate was checked and registered owner information was obtained. Three cell phones were located in the vehicle. At one point, one of the phones rang and the officer answered it. A female addressed the officer as "Gumby" several times and told him to bring the car back to the Thunderbird Motel or the owner was going to report it stolen.

Prob12C

Re: Figueroa, Michael

May 20, 2011

Page 2

Officers went to the motel and contacted the registered owner who advised that "Gumby" had taken his car and the female speaking to the other officer was "Gumby's" girlfriend. A female, Kayla Samcoff, was interviewed and she advised that Michael Figueroa was her boyfriend, and had taken the car. She also provided a description of Mr. Figueroa and what he was wearing, which matched the description of the male the officer observed fleeing from the car.

- 2 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Figueroa was cited for driving without a license on April 6, 2011. He notified the U.S. Probation Office of the contact on April 8, 2011, and was instructed to report in person to the probation office on April 11, 2011, at 8:00 a.m., and bring the citation with him. Mr. Figueroa reported on the date indicated, but not until approximately 4:00 p.m. and did not bring the citation with him. When questioned about this incident, Mr. Figueroa advised the car belonged to a friend named "Marcel" but he did not know his last name. He also indicated an individual he did not know named Joe Watts was in the car with him when he was stopped.

Per the defendant, Mr. Watts was arrested for outstanding warrants, and Mr. Figueroa was allowed to contact a friend to pick him up and get the vehicle. This officer later learned, via the Pasco Police Department, the vehicle the defendant was driving was a 1993 gold Saturn sedan, which is registered to Omar Deleon. Mr. Deleon is a convicted felon who the defendant knows well as he had law enforcement contact at Mr. Deleon's residence on February 18, 2011. The defendant was also in the same vehicle when he reported to the probation office on April 11, 2011.

- 3 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On April 13, 2011, officers contacted a 1993 gold Saturn sedan driven by Marcos Deleon (also known as Marco Lazareno), DOB: 1985. The passengers in the vehicle were Antonio Aranda, DOB: 1975; and Michael Figueroa. Mr. Deleon was arrested for driving with a suspended license. All three individuals are well known to the Pasco Police Department as Mr. Deleon and Mr. Aranda are convicted felons and documented associates of the Varrio Rat Pack (VRP) gang. Additionally, Mr. Figueroa was in the same vehicle on April 6 and April 11, 2011.

- 4 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Prob12C

Re: Figueroa, Michael

May 20, 2011

Page 3

Supporting Evidence: Mr. Figueroa was contacted by law enforcement on April 8, 2011. He was cited by the Washington State Patrol for speeding 12 miles over the limit, not having a valid drivers license, and having an open alcoholic container, Benton County District Court case 1Z0255943. Mr. Figueroa failed to notify this officer of the law enforcement contact/questioning. He also did not notify this officer of the law enforcement contact he had on April 13, 2011, as noted in violation 3.

5

Special Condition # 16: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Michael Figueroa is considered in violation of his term of supervised release as he used a controlled substance, methamphetamine, on or about May 19, 2011. He also had positive drug tests for methamphetamine on March 17, 2011; March 29, 2011; and April 11, 2011.

Mr. Figueroa also provided a drug test on March 8, 2011, which was considered an invalid negative as the validity test for the creatinine and specific gravity were abnormal. He also failed to provide a sample on April 5, 2011, when he could not produce a sample in a timely manner.

Mr. Figueroa is currently transient, and his specific whereabouts are unknown. The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/20/2011

s/SanJuanita B. Coronado

SanJuanita B Coronado
U.S. Probation Officer

Prob12C

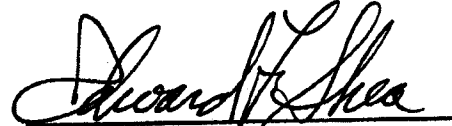
Re: Figueroa, Michael

May 20, 2011

Page 4

THE COURT ORDERS

- [] No Action
☒ The Issuance of a Warrant *JES*
☒ The Issuance of a Summons
[] Other



Signature of Judicial Officer

May 20, 2011

Date